



Fw: PCB Contamination in SLC Utah (EPA Region 8)(FYI)

Daniel Duncan to: Bruce Long
Cc: Tristen Gardner

03/02/2010 10:53 AM

From the Desk Of:

Daniel Duncan

Office of Compliance and Enforcement

(206) 553-6693

(206) 553-1775(FAX)

----- Forwarded by Daniel Duncan/R10/USEPA/US on 03/02/2010 10:31 AM -----

From: "Ame LeCocq" <AmeL@orrc.biz>

To: Kim Le/R8/USEPA/US@EPA, Daniel Duncan/R10/USEPA/US@EPA, "Christopher Harris Attorney" <gallating@aol.com>, "Bill Briggs" <BillB@orrc.biz>

Date: 03/02/2010 10:21 AM

Subject: PCB Contamination in SLC Utah

Dear Kim:

I am forwarding you all of the information I have on the source of the contamination.

1. On Friday, February 26, 2010, I instructed our Utah driver, Thorpe Cox to take another employee of ours, Mr. Gary Cox (no relation) and go back to the five customers in question that could be possible sources of the original PCB contamination. I asked these men to attempt to collect samples from the residue of each tank Thorpe had pumped on the day in question (which was January 20, 2010). They did this, and were able to get a sample from each of the 5 customers. Please see Attachment "SLC Lab Results". 4 of the potential customers, Broken Arrow Quarry, Diamond Rental, 5 Star Quick Lube, and Upper Limit Aviation all tested at less than 1ppm PCB content. The fifth customer, Burly Seal in Tooele, Utah, tested at 20,800 ppm. These results were received yesterday (3/1/10) at 3:50pm Portland time. I called Kim Le and left a voicemail notifying her of this situation.

2. I asked our driver, Thorpe Cox, to write a statement this morning and send it to me, recounting the events that occurred on Friday, 2/26/10 when he went to collect the sample from Burly Seal. See attachment "Cox Statement". I also asked him to send Gary Cox to take photographs of the totes, parking lot, etc. of this customer (I do not have these yet, but will forward them once I do).

200-10-5
10
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3. I pulled the paperwork from the collection of oil in question, on January 20, 2010. See Attachment "Burly Seal 1-20-10" for this information. The invoice and bill of lading are included in this attachment. The bill of lading is signed by the generator. Our driver ran a Hydro-Chlor-D-Tect test on site prior to collecting the oil, and got a result of less than 200ppm (also recorded on the bill of lading). The profile sheet was "on file" (see next paragraph for explanation).

4. Our profiling system states that if a customer's generation process does not change, then the waste material profile sheet is good for one year. When Mr. Cox went to the customer on 1/20/10, they had a valid profile on file, and stated that their generation process had not changed. He referenced this "on file" profile on his bill of lading from 1/20/10. Please see Attachment "09 On File Profile". This is the waste material profile sheet that was relied upon. This profile states that the material collected is generated "from hydraulic presses to make rubber seals. Steam during the process cross contaminates the oil with water." Nothing was mentioned about possible PCB contamination. Additionally, Section 2 is marked "used oil" and "hydraulic oil".

5. I went back into the customers file for 2008, and there was no collection of oil during that year. I then went back into our files for 2007. See Attachment "07 On File Profile". This profile also stated that the oil was generated from "presses and machines that make rubber gaskets. Hydraulic oil from presses is contaminated from steam leaks in the system {to account for the water in the mixture}. Also some air compressor oil." Again, no mention of possible PCB contamination.

Kim, we are very interested in accompanying EPA on their investigation of this company, as we will need to contact them ASAP to notify them of their obligation for financial responsibility. Would it be possible for either myself, or our corporate attorney to meet you (or whomever the investigator may be) in Utah? If not, may we know when you contact them, because after you have done this, I believe we want to make our contact with them at that time. As I'm sure you agree, time is of the essence here. I will await your advice on this topic.

I will be sending another email later today, updating everyone on the clean up efforts.

If there are any questions or concerns, please contact me.

Sincerely,

Ame LeCocq
Compliance Manager - ORRCO
4150 N. Suttle Road
Portland, OR - 97217
ph: 503-286-8352
fx: 503-286-5027
amel@orrc.biz



Cox Statement 1.pdf



Burly Seal 1-20-10.pdf



09 On File Profile.pdf



07 On File Profile.pdf

1 Generator Name Burly Seal Products Location 1665 W. T. Ave Bld. 604
2 Tosco, UT 84074

3 **Generator Fills Out** **Waste/Material Profile (One completed profile per product)**

4 Description: Used Automotive Oil ☐ DIY Used Oil ☐ Machine Lubricating Oil ☒ Machine Tool Cutting and/or Cooling Fluids
5 (including used solutions) containing at least 1% petroleum ☐ Hydraulic Oil ☒ Brake Fluid ☐ Refrigeration Oil ☐ Fuel Filters ☐

6 Oil Filters ☐ Antifreeze ☐ Oil Used as a Non-Contact Heat Transfer Media ☐ Solvent ☐

7 Unused Fuels and Type: Description (where and how generated) _____

8 Water/Petroleum Mixtures: Type USED OIL & WATER (M)

9 Percent Water 50 % Actual Calculation ☐ Process Knowledge ☒ Clear Tube ☐ Kolor Kut ☐

10 Transformer Oil PCB under 2PPM ☐ PCBs under 50PPM ☐ Date tested _____ Tests attached ☐

11 Generator hereby certifies that no dilution of oil containing PCBs has occurred below any regulatory threshold :

12 Signed: _____

13 Oily Solids: Tank Sludge ☐ Sump Sludge ☐ Contaminated Soil ☐ Spill Cleanup Material ☐

14 Other (Specify) : _____ Attach all pertinent documents

15 Solvent : Flash Point _____

16 Has generator mixed solvent with any hazardous waste? Yes ☐ No ☐ If yes, Stop Call Supervisor

17 For all wastes or materials, provide the following information: Field Data

18 Sniffer Test Passed ☐ Failed ☐ Date Tested _____ Clor-D-Tect Test Results < 30 PPM Date Tested 4-16-07 PH no read

19 Is Material Mixed With Hazardous Waste? Yes ☐ No ☒ If yes, Stop call Supervisor

20 Corrosive? Yes ☐ No ☒ Reactive? Yes ☐ No ☒ Toxic? Yes ☐ No ☒ Listed? Yes ☐ No ☒ Flash Over 140°F Yes ☒ No ☐

21 List All Pertinent Information (Describe process of waste generation in detail) Attach all Documentation
including all MSDS sheets & test results: Used Oil from presses and
machines that make rubber gaskets. Hydraulic oil
from presses is contaminated from steam leaks in system.
Also some air compressor oil.

22 _____

23 _____

24 _____

25 _____

26 _____

27 _____

28 Name and Title of Person providing information: Robert Mather / Plant Manager

29 Facility E.P.A. REG # None HW Generator Status: LQG ☐ SQG ☐ CEG ☒

30 _____

31 **Certification & Guarantee**

32 As generator of the material described in this profile (or authorized representative of the generator), I hereby certify that the information
33 contained in this document is accurate and complete. I further certify that this material has NOT been mixed with any contaminants including,
34 without limitation, Pesticides and waste listed or identified as hazardous waste under RCRA, or, if mixing has occurred, this material has been
35 mixed with an ignitable-only hazardous waste in compliance with the used oil mixture rule, or C.E.G. exemption. In the event that the material
36 described in this document is in fact hazardous waste,

37 I hereby guarantee to pay all costs necessary for proper analysis, transportation, storage and disposal.

38 Signed Robert Mather Title Plant Manager Date 4-16-07

39 _____

40 **Receiving Facility Data**

41 Is Waste/Material Acceptable for Processing?: Yes ☐ No ☐ Explanation: _____

42 Accepted ☐ Signed _____ Title _____ Date _____

43 Rejected ☐ Reason _____

44 Returned to Generator? Yes ☐ No ☐ Transported To: _____

Date: 3-2-10



Oil Re-Refining Company

977 South 700 West

Salt Lake City, UT 84104

Phone: 801-977-0827

Fax: 801-478-0337

To: AME LECOCOWE

From: Thorpe Cox
Salt Lake City

Total Pages: /

Subject: Bunly Seal Statement

Gary and I stopped by Bunly Seal February 20th (Friday) and the parking lot was empty, so we figured that they were working Mon-Thurs only perhaps. The oil tote that I collected oil & water from on January 20th was still empty and hadn't had anything added to it since then. We were able to collect a small sample from the bottom of the tote that still had about 1-2" inches of oil & water by putting a PVC pipe down to the bottom and repeatedly letting the oil drip into our sample container. The tote sits outside the building on the south side in the parking lot. We didn't make contact with anyone from Bunly Seal while collecting the sample. Tote has ORRCO's used oil only collection sticker on it. There is another tote that was empty still as well, has been used previously for used oil.

Thorpe Cox

WASTE MATERIAL PROFILE SHEET

STEP 1: GENERATOR & SITE INFORMATION

Generator Name: Bunly Seal Products
 Location Generated: 1045 W. P. Ave Bld. 604 Tooele, UT 84074
 EPA ID#: None Generator Status: ☐ LQG ☐ SQG ☒ CEG

STEP 2: WHAT IS THIS MATERIAL?

- | | | | |
|---|--|--|---------------------------------------|
| <input checked="" type="checkbox"/> Used Oil | <input type="checkbox"/> DIY Used Oil | <input type="checkbox"/> Machine Lubricating Oil | <input type="checkbox"/> Brake Fluid |
| <input checked="" type="checkbox"/> Hydraulic Oil | <input type="checkbox"/> Refrigeration Oil | <input type="checkbox"/> Machine Tool Cutting Oils/Machine Coolant | |
| <input type="checkbox"/> Solvent | <input type="checkbox"/> Oil & Water Mixture | <input type="checkbox"/> Spent Fuel (Specify Type): _____ | |
| <input type="checkbox"/> Tank Sludge | <input type="checkbox"/> Sump Sludge | <input type="checkbox"/> Spent Fuel & Water (Specify): _____ | |
| <input type="checkbox"/> Contaminated Soil | <input type="checkbox"/> Spill Clean Up Material | <input type="checkbox"/> Water with Less Than 1% Petroleum Product | |
| <input type="checkbox"/> Fats, Oils, & Grease | <input type="checkbox"/> Spent Anti-Freeze | <input type="checkbox"/> Oil Filters | <input type="checkbox"/> Fuel Filters |
| <input type="checkbox"/> Other (Specify): _____ | | | |
| <input type="checkbox"/> Transformer Oil - PCB Less Than 2ppm (Analytical for PCB content must be attached)* | | | |
| <input type="checkbox"/> Transformer Oil - PCB Less Than 50ppm (Analytical for PCB content must be attached)* | | | |

* Generator of Transformer Oil certifies that no dilution of PCB's has occurred below any regulatory threshold:

Signed: _____

STEP 3: CATEGORIZING THE MATERIAL - IS THIS MATERIAL...

Corrosive: ☐ YES ☒ NO Reactive: ☐ YES ☒ NO Toxic: ☐ YES ☒ NO
 Flash Over 140°F: ☒ YES ☐ NO Mixed With Hazardous Waste? ☐ YES ☒ NO

STEP 4: FIELD TEST RESULTS

Water Test: 70% (Obtained by: ☒ Process Knowledge, ☐ Kolor Kut, ☐ Distillation, ☐ Clear Tube)

Sniffer Test: ☐ PASSED ☐ FAILED / CLOR-D-TECT (PPM): 200 / pH: _____

STEP 5: OTHER INFORMATION - HOW WAS THIS MATERIAL GENERATED? List All Pertinent Information (Describe process of generation in detail). Attach All Documentation, Such as MSDS and Analytical Results.

Used oil & water from hydraulic presses used to make rubber seals. Steam during process chrs - contaminates oil with water.

STEP 6: CERTIFICATION AND GUARANTEE - PLEASE READ & SIGN BELOW

As the generator of the material described above, I certify that the information contained in this document is accurate and complete. I further certify that this material has NOT been mixed with any chlorinated solvents or any other contaminants including, without limitation, PCB's, pesticides, and hazardous wastes. In the event that the material described in this document is in fact a hazardous waste, I guarantee to pay all costs necessary for proper analysis, transportation, storage, and disposal.

Printed, Full Name: John Myer / Manager

Signed: [Signature] Title: Driver Date: 6-18-04

RECEIVING FACILITY SECTION

☐ Accepted Signed By: _____ Date: _____

☐ Rejected Tests/Explanation: _____

For Internal Use Only:

Is this material destined for: ☐ Landfill Disposal or ☐ To Be Burned for Energy Recovery

(6)



Summit Environmental Technologies, Inc.

310 Win Street

Cuyahoga Falls, Ohio 44223

Tel: 330.253.8211 Fax: 330.253.4489

Analysis Request/Chain of Custody

For Summit Environmental Technologies, Inc. use only

Page 1 of 1

SET No.

Client Name Fuel Processors		Project Name January 20th Suspect Customers		Grab Composite Matrix: S=Solid, L=Liquid, O=Oil SL=Sludge, A=Air, DW=Drinking Water Preservative Number of Containers PCB's		Analytical Parameters and Methods						
Client Address 4150 N. Suttle Rd. Bentland, OR 97217		Project Address ORRCD 9775. 700W, SLC, UT 84104										
Client Phone No. 1-800-367-8894		Report to Holly Cantin AME LECOQUE										
Client Fax No. 801-478-0337 / 503-286-5027		PO# AL 0226180										
Client Email (AME L@ORRCD.BIZ) HollyC@ORRCD.BIZ / ThorpeC@ORRCD.BIZ		Quote No.										
Contact Person Holly Cantin AME LECOQUE		Check if Ohio VAP samples <input type="checkbox"/>										
Sampled by Thorpe Cox / Gary Cox												
#	Sample Identification	Date Collected	Time Collected	Grab	Composite	Matrix	Preservative	Number of Containers				

1	Broken Arrow 1A, 1B, 1C	2-26-10	1:20AM	X		0		3	X											
2	Diamond Rental (Tooele)	2-26-10	11:40AM	X		0		1	X											
3	Bunly Seal (Tooele)	2-26-10	12:25PM	X		0		1	X											
4	5 Star Quicklube (Grantsville)	2-26-10	1:25PM	X		0		1	X											
5	Upper Limit Aviation (SLC)	2-26-10	2PM	X		0		1	X											
6	Tank W-27	2-26-10	3:20PM	X		0		1	X											

1002809-01-06

Relinquished by:	Date	Time	Received by:	Date	Time
Thorpe Cox	2-26-10	3:20PM			
Gary Cox	2/26/10	3:36			
Received in lab by:	Date	Time	Rush Requested: _____ Days		
Sean Bullock	2/27/10	10:00A	Must be approved by lab manager		

Notes/Comments:

* Please send results ASAP to
AME LECOQUE AMEL@omco.biz

White and yellow pages should accompany samples to the laboratory. The client retains the pink page.

28649



SUMMIT
ENVIRONMENTAL TECHNOLOGIES, INC.
Analytical Laboratories

LABORATORY REPORT

March 01, 2010

1/2

Client: ORRCO
Address: 4150 N. Suttle Road
Portland, OR 97217

Date Collected: See Below
Date Received: 02/27/2010
Project #: Jan 20 Suspect
Client ID #: See Below
Laboratory ID #: See Below
Matrix: Liquid
Method: 8082
Date of Analysis: See Below

	Lab Sample ID:	1002809-01	1002809-02	1002809-03
	Client Sample ID:	Broken Arrow	Diamond Rental	Burly Seal
	Date Collected:	02/26/2010	02/26/2010	02/26/2010
	Date Analyzed:	03/01/2010	03/01/2010	03/01/2010
PCB		<1.0ppm	<1.0ppm	20800.0ppm

Laboratory Manager: R. Libar



SUMMIT
ENVIRONMENTAL TECHNOLOGIES, INC.
Analytical Laboratories

LABORATORY REPORT

March 01, 2010

2/2

Client: ORRCO
Address: 4150 N. Suttle Road
Portland, OR 97217

Date Collected: See Below
Date Received: 02/27/2010
Project #: Jan 20 Suspect
Client ID #: See Below
Laboratory ID #: See Below
Matrix: Liquid
Method: 8082
Date of Analysis: See Below

Lab Sample ID:	1002809-04	1002809-05	1002809-06
Client Sample ID:	5 Star Quicklube	Upper Limit	Tank W-27
Date Collected:	02/26/2010	02/26/2010	02/26/2010
Date Analyzed:	03/01/2010	03/01/2010	03/01/2010
PCB	<1.0ppm	<1.0ppm	<1.0ppm

Laboratory Manager: *Al Libox*



ORRICO
Oil Re-Refining

Eugene, OR:	EPA#	ORQ000024941
Hoquiam, WA:	EPA#	WAD988519419
Klamath Falls, OR:	EPA#	ORD980980775
Seaside, OR:	EPA#	WAH000011577
Medford, OR:	EPA#	ORD987197092
North Bend, OR:	EPA#	ORD980978266
Salt Lake City, UT:	EPA#	UTD982589459
Spokane, WA:	EPA#	WAH000011585

Dispatch #: 13738

Billing Address

Profile Date: 12/18/09

Load Ticket # 1016612000

Customer warrants that the waste petroleum products being transferred by the above collector do not contain any contaminants including, without limitation, pesticides, chlorinated solvents at concentrations greater than 1000 PPM, PCBs at concentrations greater than 2 PPM (or 50 PPM with Analytical), or any other material classified as hazardous waste by 40 CFR part 261, Subparts C and D (implementing the federal Resource Conservation and Recovery Act), or by any equivalent state hazardous substance classification program. Should Laboratory tests find this waste not in compliance with 40 CFR Part 261, customer (generator) agrees to pay for all disposal costs incurred.

DATE:

1-20-10



ORRCO
Oil Re-Refining
Company

Eugene, OR:	EPA#	ORQ000024941
Hoquiam, WA:	EPA#	WAD988519419
Klamath Falls, OR:	EPA#	ORD980980775
Medford, OR:	EPA#	WAH000011577
North Bend, OR:	EPA#	ORD987197092
Salt Lake City, UT:	EPA#	ORD980978266
Spokane, WA:	EPA#	UTD982589459
	EPA#	WAH000011585

Date 1-20-10	Customer ID Number 14825
Dispatch #: 13738	

Generator	Bunly Seal Products		Brandan Worwood 435-578-0571	
	Name 1065 W. Dave Blvd.	City 604 Tooele	Contact Person State UT	Phone Zip 84074 Tooele
Transportation	Consigned To: ORRGO			
	Destination: 9775. 700 W. SLC, UT 84104			
	Via Carrier: ORRGO, SLC			
	Driver: Thorpe	Truck # 7709	Miles Run:	

Billing Address

*Please bill corporate
in Dallas, Texas

Check#	PO#
--------	-----

Profile Date: 12/18/09

Load Ticket # 10166120001

[illegible]

Above material being transported for Recycling	EPA#

Total: 205.00 charge

Customer warrants that the waste petroleum products being transferred by the above collector do not contain any contaminants including, without limitation, pesticides, chlorinated solvents at concentrations greater than 1000 PPM, PCBs at concentrations greater than 2 PPM (or 50 PPM with Analytical), or any other material classified as hazardous waste by 40 CFR part 261, Subparts C and D (implementing the federal Resource Conservation and Recovery Act), or by any equivalent state hazardous substance classification program. Should Laboratory tests find this waste not in compliance with 40 CFR Part 261, customer (generator) agrees to pay for all disposal costs incurred.

SIGNED X

DATE:

1-20-10



Invoice

1/29/2010

309555

4150 N Suttle Road
Portland, OR 97217-7717

Bill To

Burly Seal Products
1900 Jay Ell Dr
Richardson, TX. 75081

Ship To

Burly Seal Products
1865 W D Ave, Bldg 604
Tooele, UT

Resale #

17519043560

Option	PO #	Terms	Due Date	Ship Date	BL#	Account #
		10 Days Net	2/8/2010	1/20/2010	226900	14825

Description	Quantity	Price Each	Amount
Emulsified Oil & Water	300	0.65	195.00
Environmental & Fuel Surcharge	1	10.00	10.00

Subtotal	\$205.00
Sales Tax (6.35%)	\$0.00
Total	\$205.00
Credits	\$0.00
Balance	\$205.00

We accept all major credit cards

A 1.5% per month service charge or a minimum of \$5.00 will be charged for invoices not paid within our terms.

Phone #	Fax #	E-mail
503-546-3540	503-546-3588	SUEE@ORRCO.BIZ

ORRCO.BIZ
Web Site



Summit Environmental Technologies, Inc.

3310 Win Street

Cuyahoga Falls, Ohio 44223

Tel: 330.253.8211 Fax: 330.253.4489

Analysis Request/Chain of Custody

For Summit Environmental Technologies, Inc. use only

Page 1 of 1

SET No.

Client Name Fuel Processors		Project Name January 20th Suspect Customers		Analytical Parameters and Methods Matrix: S=Solid, L=Liquid, O=Oil SL=Sludge, A=Air, DW=Drinking Water Preservative Number of Containers PCB's	
Client Address 4150 N. Suttle Rd, Bentham, OR 97217		Project Address ORRCD 9775. 700W, SLC, UT 84104			
Client Phone No. 1-800-367-8894		Report to Holly Carlin AME LECOQUE			
Client Fax No. 801-478-0337 / 503-286-5027		PO# A2 02 26 100			
Client Email AME L@ORRCD.BIZ / Holly Carlin AME LECOQUE		Quote No.			
Contact Person Holly Carlin AME LECOQUE					
Sampled by Thompe Cox / Gary Cox		Check if Ohio VAP samples <input type="checkbox"/>			
#	Sample Identification	Date Collected	Time Collected	Grab	Composite

1	Broken Arrow 1A, 1B, 1C	2-26-10	11:20AM	X	0	3	X	Add'l: Report Archie
2	Diamond Rental (Tooele)	2-26-10	11:40AM	X	0	1	X	
3	Burly Seal (Tooele)	2-26-10	12:25PM	X	0	1	X	
4	5 Star Quicklube (Grantsville)	2-26-10	1:25PM	X	0	1	X	
5	Upper Limit Aviation (SLC)	2-26-10	2PM	X	0	1	X	
6	Tank W-27	2-26-10	3:20PM	X	0	1	X	

1002809-01-06

Relinquished by:	Date	Time	Received by:	Date	Time
Thompe Cox	2-26-10	3:25PM			
Gary Cox	2/26/10	3:36			
Received in lab by:	Date	Time	Rush Requested: _____ Days		
Sam Bulyky	2/27/10	10:00A	Must be approved by lab manager		

Notes/Comments:

* Please send results ASAP to
AME LECOQUE AMEL@ORRCD.BIZ

White and yellow pages should accompany samples to the laboratory. The client retains the pink page.

28649



March 04, 2010

LABORATORY REPORT

1/1

Client: ORRCO
Address: 4150 N. Suttle Road
Portland, OR 97217

Date Collected: 02/26/2010
Date Received: 02/27/2010
Project #: Jan 20 Suspect
Client ID #: Burly Seal
Laboratory ID #: 1002809-03
Matrix: Liquid
Analyst: AKE

<u>Parameter</u>	<u>Method</u>	<u>Results</u>	<u>Date of Analysis</u>
Aroclor - 1016/1242	8080	12000ppm	03/01/2010
Aroclor - 1221	8080	<1.0ppm	03/01/2010
Aroclor - 1232	8080	<1.0ppm	03/01/2010
Aroclor - 1248	8080	<1.0ppm	03/01/2010
Aroclor - 1254	8080	8800ppm	03/01/2010
Aroclor - 1260	8080	<1.0ppm	03/01/2010

12000
8800

20800

Laboratory Manager: RS Hilas